Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Parts 2 and 25 of the	)	ET Docket No. 96-20
Commission's Rules to Allocate the	)	RM-8638
13.75-14.0 GHz Band to the	)	
Fixed-Satellite Service	)	

REPLY COMMENTS OF GE AMERICAN COMMUNICATIONS, INC.

GE American Communications, Inc. ("GE Americom"), by its attorneys, hereby submits its reply to the comments of other parties in response to the Notice of Proposed Rule Making in the above-captioned proceeding, FCC 96-55, released Feb. 23, 1996 ("*Notice*").

I. THE RECORD SUPPORTS PROMPT COMMISSION ACTION TO ALLOCATE THE 13.75-14.0 GHZ BAND FOR FSS UPLINKS

In our comments GE Americom strongly endorsed the Commission's proposal to allocate extended Ku-band spectrum for uplink transmissions in the fixed-satellite service.[1] Other commenting parties agree, unanimously supporting Commission action to make this spectrum available. The record confirms the

[1] GE Americom Comments at 4-5. GE Americom requested modification of the Commission's proposal in one regard. We asked that the prohibition on use of the 10.95-11.2 and 11.45-11.7 GHz downlink bands by domestic systems be eliminated. *See id.* at 5-8.

Commission's conclusion that permitting FSS use of this spectrum will achieve important public interest benefits.

COMSAT, for example, notes that allocation of extended Ku-band spectrum is necessary to help "correct the imbalance of 500 MHz between the amount of spectrum allocated for FSS uplinks and the spectrum bands currently allocated for FSS downlinks." COMSAT World Systems Comments at 2 (footnote omitted). Loral agrees and also observes that the proposed allocation will permit more efficient satellite design, which in turn will allow improved service to users at a lower cost. Loral Aerospace Holdings Inc. Comments at 3. In addition, Hughes notes that action on the Commission's proposal is necessary to permit U.S. satellite operators to compete with service providers in other countries. Hughes Communications Galaxy, Inc. Comments at 2.

The Commission should move forward to make these predicted benefits a reality by expeditiously adopting its proposal to allocate extended Ku-band spectrum to the FSS.

II. CONSULTATION OF EARTH STATIONS LOCATED WITHIN THE ZONES IDENTIFIED BY NASA IS APPROPRIATE

In its submission, NASA suggests that more concrete information should be provided in the Commission's rules to ensure that spaceborne sensors are adequately protected in the extended Ku-band. NASA Draft Comments at 2. Specifically, NASA requests that the Commission include figures in the rules that depict zones within which FSS earth stations could interfere with

TOPEX/POSEIDON altimeter devices or with TRMM precipitation radar. NASA states that under the terms of ITU-R Recommendations, locating earth stations outside the identified zones will ensure protection of TOPEX/POSEIDON and TRMM. NASA goes on to say that earth stations within the zones "will require consultation on a case-by-case basis." *Id.* (footnote omitted).

GE Americom has no objection to NASA's proposal to identify the areas within which consultation will be necessary to protect spaceborne sensors. Inclusion of the figures submitted by NASA will ensure that FSS providers have specific information regarding these areas and can plan their systems to minimize concerns about potential interference. GE Americom notes, however, that the rule changes requested by NASA are inconsistent with the textual discussion of the proposed exclusion zones. Specifically, although the text expressly indicates that consultation would be required for earth stations within the areas identified in the figures, the proposed rules state that earth stations "shall not be located" within those areas, without reference to consultation. NASA Draft Comments at 3, subparagraphs (a) and (e) of proposed changes to § 25.202 or § 25.204.[2]

If the Commission adopts NASA's recommendation to include exclusion zone figures for protection of TOPEX/POSEIDON and TRMM, it should

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[2] NASA has also proposed that the Commission's rules include limits on the e.i.r.p. for earth stations operating in certain portions of the extended Ku-band. *Id.* at 3, subparagraphs (b) and (c) of proposed changes to § 25.202 or § 25.204. Although these limits will restrict FSS operations in the band, GE Americom does not object to them provided that the Commission strictly adheres to the stated expiration dates (January 1, 2000 for operations in the 13.99356-13.99644 GHz band, and January 1, 2001 for operations in the 13.793-13.805 GHz band).

correct this inconsistency. Specifically, it should modify the language of NASA's proposed rules to specify that consultation is required for earth stations within the identified zones.

CONCLUSION

GE Americom urges the Commission to act promptly to make extended Ku-band spectrum fully available for use by U.S.-licensed FSS providers.

Respectfully submitted,

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CERTIFICATE OF SERVICE

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